

1 **STATE OF GEORGIA**
2 **COUNTY OF FULTON**
3 **CITY OF SOUTH FULTON**

RES 2019-058

4
5 **A RESOLUTION OF THE CITY OF SOUTH FULTON ESTABLISHING AN**
6 **INVESTIGATIVE HEARING REGARDING HALPERNS' STEAK AND SEAFOOD'S**
7 **LETTER OF INDUCEMENT WITH THE FULTON COUNTY DEVELOPMENT**
8 **AUTHORITY AND COUNCILMEMBER HELEN WILLIS' INVOLVMENT**
9

10 **WHEREAS**, Halperns' Steak and Seafood Company ("Company") was awarded a Letter of
11 Inducement with the Fulton County Development Authority on or about October 22, 2019;
12

13 **WHEREAS**, Councilmember Willis spoke at the hearing;
14

15 **WHEREAS**, the actions of Councilmember Willis have been called into question and are now
16 the subject of an Investigative Hearing;
17

18 **WHEREAS**, a special called meeting was set for December 3, 2019 to establish the procedure
19 for the Investigative Hearing; and
20

21 **WHEREAS**, this Resolution is necessary to insure good order at the Investigative Hearing;
22

23 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL**, as follows:
24
25

26 **Section 1.** An Investigative Hearing shall take place on December 10, 2019 at 5:00
27 PM at the following location: 5600 Stonewall Tell Rd Atlanta, Georgia 30349.
28

29 **Section 2.** Retired Judge Thelma Wyatt Cummings Moore shall be the Investigative
30 Hearing Officer and shall preside over the hearing. Further, Council stipulates that the hearing
31 shall be subject to the Georgia Evidence Code as outlined in the Official Code of Georgia
32 Annotated and that all parties participating in the Investigative Hearing shall exchange evidence,
33 documents, and witness lists by Monday, December 9, 2019 at 12:00 PM EST.
34

35 **Section 3.** Georgia's "Sunshine Law" or Open Meetings Act, OCGA § 50-14-1, et
36 seq. requires meetings of municipal corporations and other agencies, where official actions are
37 taken, to be open to the public. The deliberations of the Investigative Hearing shall involve
38 official actions and therefore are subject to the Open Meetings Act. Further, the Council agrees
39 to waive executive session privilege relating to prior matters involving Councilmember Helen
40 Willis.
41

42 **Section 4.** The Investigative Hearing shall require the issuance of subpoenas for the
43 purpose of securing witnesses and other documents. The Deputy City Clerk shall be vested with
44 the municipality's legislative authority to issue subpoenas subject to the approval of the hearing
45 officer. Subpoenas issued by the Council may be served in the same manner as service of
46 subpoenas is outlined in the Official Code of Georgia Annotated. Service of subpoenas may also

The foregoing Ordinance No. 2019-058 was moved for approval by Councilmember Baker . The motion was seconded by Councilmember khalid, and being put to a vote, the result was as follows:

AYE

NAY

William "Bill" Edwards, Mayor
Mark Baker, Mayor Pro Tem
Catherine Foster Rowell
Carmalitha Lizandra Gumbs
Helen Zenobia Willis
Gertrude Naeema Gilyard
Rosie Jackson
khalid kamau

<u> </u>	<u> </u>
<u> √ </u>	<u> </u>
<u> </u>	<u> √ </u>
<u> </u>	<u> √ </u>
<u> </u>	<u> √ </u>
<u> √ </u>	<u> </u>
<u> √ </u>	<u> </u>
<u> √ </u>	<u> </u>

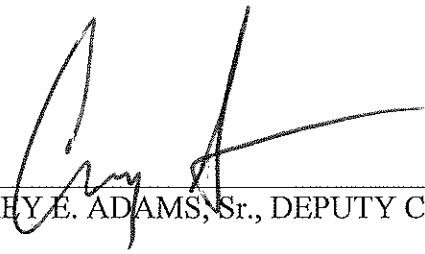
Mayer did not sign. CA

THIS RESOLUTION so adopted this 3rd day of December, 2019.

CITY OF SOUTH FULTON, GEORGIA

WILLIAM "BILL" EDWARDS, MAYOR


ATTEST:



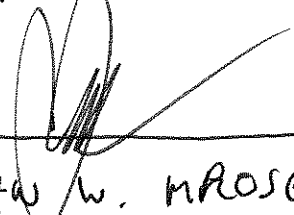
COREY E. ADAMS, Sr., DEPUTY CITY CLERK



APPROVED AS TO FORM:



APPROVED AS TO FORM:



John W. Rose
Special City Attorney